

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

SCOT HARRY STRAITS,

Defendant and Appellant.

C081785

(Super. Ct. No. 14F05999)

Appointed counsel for defendant Scot Harry Straits has filed an opening brief that sets forth the facts of the case and asks this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) We affirm.

BACKGROUND

Defendant, who was not in custody, coordinated with his codefendant to send cards laced with methamphetamine into correctional facilities. Defendant mailed at least one of those cards to the Rio Cosumnes Correction Center (RCCC).

The People charged defendant with two counts of knowingly bringing, sending into, and assisting in bringing into RCCC a controlled substance and paraphernalia (Pen. Code, § 4573 - counts 1 and 2) and one count of selling or transporting methamphetamine (Health & Saf. Code, § 11379, subd. (a) - count 3). The complaint further alleged that defendant was released from custody in an unrelated criminal matter when he committed the crime alleged in count 1 and was previously convicted of two strike offenses.

Defendant pleaded guilty to count 1 and admitted being previously convicted of a strike offense. In exchange for his plea, the People agreed to a four-year prison sentence. The trial court sentenced defendant in accordance with his plea and dismissed the remaining charges and allegations. The court ordered defendant to pay various fines and fees and awarded him 573 days of custody credit.

Defendant filed a timely notice of appeal. His request for a certificate of probable cause was denied.

DISCUSSION

Counsel filed an opening brief that sets forth the facts of the case and requests that we review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of the filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

/s/
Duarte, J.

We concur:

/s/
Raye, P. J.

/s/
Hull, J.